

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

FRONZELL GLASS, )  
                          )  
Plaintiff, )  
                          )  
v.                    ) Case No. 2:22-cv-23-ACA-GMB  
                          )  
JEFFERSON COUNTY DISTRICT )  
ATTORNEY, *et al.*, )  
                          )  
Defendants. )

**MEMORANDUM OPINION**

On April 14, 2023, the magistrate judge entered a report recommending the dismissal of this action without prejudice under 28 U.S.C. § 1915A(b) for failing to state a claim upon which relief can be granted. (Doc. 12). Although the magistrate judge advised the plaintiff of his right to file written objections within fourteen days and of the consequences of failing to object (*id.* at 8–9), the court has not received any objections.

After careful consideration of the record in this case and the magistrate judge's report, the court **ADOPTS** the report and **ACCEPTS** the recommendation **IN PART**. The court **ACCEPTS** the recommendation to dismiss all of Plaintiff Fronzell Glass's claims but **REJECTS** the recommendation to dismiss the individual capacity claims without prejudice. Instead, the court **WILL DISMISS**

the official capacity claims **WITHOUT PREJUDICE** and **WILL DISMISS** the individual capacity claims **WITH PREJUDICE**.

The court will enter a separate final order.

**DONE** and **ORDERED** this May 10, 2023.



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**ANNEMARIE CARNEY AXON**  
UNITED STATES DISTRICT JUDGE